

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fumio KAGAMI et al.

Title: FUEL CELL SYSTEM

Appl. No.: 10/579,908

International 10/15/2004

Filing Date:

371(c) Date: 07/14/06

Examiner: Chu, Helen Ok

Art Unit: 1795

Confirmation 5973

Number:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Documents A3-A5 listed on the attached PTO/SB/08 were cited in a German Office Action issued in a counterpart German application on February 12, 2008. According to an English translation of the German Office Action obtained by Applicants' representative, the German Patent Office made certain characterizations of the references. A copy of the German Office Action and the English-language translation thereof is attached. As noted, the characterizations of the German Patent Office noted above are based on an English translation obtained by Applicants' representative. The disclosure of these characterizations should not be construed as an admission of or agreement with the opinions expressed in the German Office Action.

Copies of U.S. Patent Nos. 2003/0207162 A1 and 6,387,556 B1 cited in the German Office Action are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified application on May 19, 2006.

Documents A1 and A3 belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Documents A2 and A4 belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

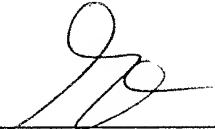
Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicants and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that

complies with the requirement for a “concise explanation of relevance” for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicants believe that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

By 

Date: April 21, 2008

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